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Attorneys for Plaintiffs

LL&L INNOVATIONS LLC and

LOWDOWN DISTRIBUTION, INC.

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH  
CENTRAL DIVISION

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)  
LL&L INNOVATIONS LLC, a Utah ) Civil Action No. 2:10-cv-00829-TC  
limited liability company, and LOWDOWN )  
DISTRIBUTION, INC., a California )  
corporation, )  
Plaintiffs, ) **MEMORANDUM IN SUPPORT OF**  
v. ) **PLAINTIFFS' SECOND MOTION TO**  
JERRY LEIGH OF CALIFORNIA, INC., ) **FILE DOCUMENTS UNDER SEAL**  
a California corporation; KOHL'S )  
CORPORATION, a Wisconsin )  
corporation; JC PENNEY COMPANY, )  
INC., a Texas corporation; RUSTY )  
NORTH AMERICA, LLC, a California )  
limited liability company; HOT TOPIC )  
MERCHANDISING, INC, a California )  
corporation, and SUN COAST )  
MERCHANDISE CORPORATION d/b/a )  
SUNSCOPE, a California corporation, )  
Defendants. )

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Plaintiffs LL&L Innovations, LLC and Lowdown Distribution, Inc. (collectively “Plaintiffs”), by and through their undersigned counsel of record, hereby move the Court for leave to file a document under seal pursuant to DUCivR 5-2.

Plaintiffs previously filed a the Second Declaration of Edward Zhou in Support of Plaintiffs’ Motion Preliminary Injunction (“Second Zhou Declaration”) concurrently with its Reply Memorandum in Support of Plaintiffs’ Motion for Preliminary Injunction (“Reply”). Although Mr. Zhou reviewed the declaration prior to its filing, he was not able to sign the declaration prior to its filing because he had to board a plane to travel to the United States to testify at the hearing in case currently set for September 17, 2010. To avoid any prejudice to Defendants, Plaintiffs filed an un-signed version of the Second Zhou Declaration concurrently with the Reply, rather than waiting until Mr. Zhou was able to sign the declaration after his arrival in the United States. Plaintiffs now seek to file a signed Second Zhou Declaration.

Although the Court has granted leave to file the unsigned Second Zhou Declaration under seal and has granted leave to file documents under seal during the Status Conference held in this matter on September 2, 2010, the Clerk of the Court has requested Plaintiffs to file the present motion for leave to file a signed copy of the Second Zhou Declaration under seal prior to actually filing the signed Second Zhou Declaration. Therefore, Plaintiffs are filing the present motion pursuant to the instruction received from the Clerk of the Court.

The Second Zhou Declaration includes proprietary and confidential business information that is at issue in this matter. The Second Zhou Declaration includes this highly confidential information to better explain to the Court the critical issues concerning, *inter alia*, the irreparable harm and balancing of hardships factors. However, Plaintiffs desire to keep such information

sealed from the public to protect their businesses.

Accordingly, Plaintiffs respectfully request leave to file the signed Second Declaration of Edward Zhou in Support of Plaintiffs' Motion for Preliminary Injunction under seal pursuant to DUCivR 5-2.

DATED this 15th day of September, 2010.

WORKMAN | NYDEGGER

By /s/ Chad E. Nydegger

CHARLES L. ROBERTS  
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